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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/492,030

01/25/2000

La Vaughn F. Watts Jr.

16356.516

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03/25/2004

HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

EXAMINER

DAVIS, TEMICA M

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/492,030

Applicant(s)

WATTS, JR. ET AL.

Examiner

Temica M. Davis

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-11,13,14 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-11,13,14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed January 5, 2004 have been fully considered but they are not persuasive.

Applicant argues that Maroun fails to disclose the claims as amended. Specifically, Maroun fails to disclose a receptacle, a switch and an illumination device integrated into the device.

Regarding the receptacle, Maroun discloses that the body is used for attachment to a computer which has a receptacle (cradle) for receiving the body (col. 3, line 65-col. 4, line 10).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Based on the above remarks, the presently claimed invention stands rejected as set forth below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 9-11, 13, 14 and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maroun et al (Maroun), U.S. Patent No. 5,300,938 in view of Bell, U.S. Patent No. 5,613,873.

Regarding claims 1 and 13, Maroun discloses a receptacle assembly, comprising: a body used for connecting a computer to a local area network, a receptacle; and a wireless communication portion attached to body, the wireless communication portion including an antenna connector attached to the body (col. 1, line 64-col. 2, line 21, col. 3, lines 4-28 and col. 4, lines 11-37).

Maroun, however, fails to disclose a switch integrated into the body.

The examiner, contends, however, that at the time of invention, such a feature would have been obvious to a person of ordinary skill in the art since switches are widely used in order to switch circuitry between an on and off position.

Maroun also fails to disclose wherein the receptacle assembly further includes an illumination device integrated into the body.

In a similar field of endeavor, Bell discloses a modular jack with an integral LED (col. 3, lines 34-50).

At the time of invention it would have been obvious to a person of ordinary skill in

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the art to modify Maroun with the teachings of Bell for the purpose of indicating the status connections of the circuitry (Bell, col. 2, lines 44-54).

Regarding claims 2 and 14, the combination of Maroun and Bell discloses the receptacle assembly of claims 1 and 13, wherein the wireless communication portion includes a substantially integral antenna (Maroun, col. 3, lines 6-14).

Regarding claim 3, the combination of Maroun and Bell discloses the receptacle assembly of claim 1 wherein the wireless communication portion includes a controlled impedance interface (Maroun, col. 3, lines 29-41).

Regarding claim 4, the combination of Maroun and Bell discloses the receptacle assembly of claim 3, wherein the controlled impedance interface is a coaxial-type cable (Maroun, col. 3, lines 41-57).

Regarding claim 5, the combination of Maroun and Bell discloses the receptacle assembly of claim 1 and further discloses wherein the receptacle includes an RJ45-type receptacle including a plurality of contacts (Bell, col. 1, lines 8-21, col. 2, lines 45-55).

Regarding claims 6 and 7, 16 and 17, the combination of Maroun and Bell discloses the receptacle assembly of claims 1 and 13 as described above. The combination, however, fails to disclose the assembly further comprised of a manually operable switch, wherein the switch is manually movable between a first position and a second position.

The examiner, contends, however, that at the time of invention, such a feature would have been obvious to a person of ordinary skill in the art since switches are widely used in order to switch circuitry between an on and off position.

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Regarding claims 9 and 18, the combination of Maroun and Bell discloses the receptacle assembly of claims 1 and 13 and further discloses wherein the receptacle assembly further includes a plurality of illumination devices attached to the body (Bell, col. 3, lines 34-50).

Regarding claims 10 and 19, the combination of Maroun and Bell discloses the receptacle assembly of claims 9 and 18 wherein each one of the illumination devices includes a light emitting diode (Bell, col. 3, lines 34-50).

Regarding claims 11 and 20, the combination of Maroun and Bell discloses the receptacle assembly of claims 9 and 18 wherein each one of the illumination devices includes a light conducting member having a cavity therein for receiving a powered illumination device (Bell, col. 3, lines 34-50).

Regarding claim 21, the combination of Maroun and Bell discloses the apparatus of claim 20 wherein each one of the powered illumination device includes a light emitting diode electrically connected to the wireless communication device (Bell, col. 3, lines 34-50).

Regarding claim 22, the combination of Maroun and Bell discloses the apparatus of claim 13 wherein the wireless communication portion includes a connector electrically connected to the wireless communication device (Maroun, col. 4, lines 11-37).

Regarding claim 23, the combination of Maroun and Bell discloses the apparatus of claim 13 further comprising: a controlled impedance interface connected between the wireless communication device and the wireless communication portion (Maroun, col. 3, lines 29-61).

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Regarding claim 24, Maroun disclose a computer system, comprising: inherently an enclosure; inherently a microprocessor mounted in the enclosure; inherently a storage coupled to the microprocessor as evidenced by the fact that its a computer (col. 3, lines 65-col. 4, line 4); a wireless communication device electrically connected to the microprocessor; a connector coupled to the wireless communication device; a receptacle assembly body coupled to the connector and integrating a receptacle; a data transfer portion attached to the receptacle assembly body, the data transfer portion being electrically connected to the network interface device; and a wireless communication portion attached to receptacle assembly body, the wireless communication portion being electrically connected to the wireless communication device (col. 1, line 64-col. 2, line 21, col. 3, lines 4-28 and col. 4, lines 11-37).

Maroun, however, fails to disclose a switch integrated into the body.

The examiner, contends, however, that at the time of invention, such a feature would have been obvious to a person of ordinary skill in the art since switches are widely used in order to switch circuitry between an on and off position.

Maroun also fails to disclose wherein the receptacle assembly further includes an illumination device integrated into the body.

In a similar field of endeavor, Bell discloses a modular jack with an integral LED (col. 3, lines 34-50).

At the time of invention it would have been obvious to a person of ordinary skill in the art to modify Maroun with the teachings of Bell for the purpose of indicating the status connections of the circuitry (Bell, col. 2, lines 44-54).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached Monday through Friday (alternate Fridays) from 9:00am-3:00pm.

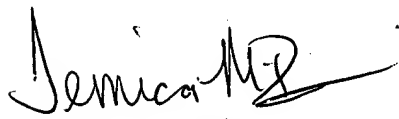
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Temica M. Davis
Examiner
Art Unit 2681

TMD
March 20, 2004


TEMICA M. DAVIS
PATENT EXAMINER


ERIKA GARY
PATENT EXAMINER